

United States Bankruptcy Court
Northern District of Georgia

1340 U.S. COURTHOUSE
75 SPRING STREET S.W.
ATLANTA, GEORGIA 30303
Yvonne Evans - Clerk of Court

MEMORANDUM

TO: CM/ECF Participants

FROM: *W. Yvonne Evans, Clerk of Court*

DATE: June 13, 2001

RE: Electronic Public Access Fees

The Judicial Conference, at its March 2001 session, approved recommendations regarding electronic public access fees. First, the Conference endorsed the creation of a separate Fee Schedule for Electronic Public Access (EPA Fee Schedule), which will become effective on July 1, 2001. While the fees included in the various miscellaneous fee schedules are often court-specific, fees pertaining to the EPA program cut across court lines. Accordingly, the Conference authorized the removal of the EPA fees from the miscellaneous fee schedules and the creation of an independent EPA fee schedule which will apply to all federal courts. A copy of the EPA fee schedule is attached.

Secondly, in September of 1998, the Judicial Conference approved a fee of 7 cents per page for access to information obtained electronically through a federal judiciary Internet site. Access to documents obtained in this manner in CM/ECF prototype courts, including Georgia Northern Bankruptcy Court, has been made available free of charge. Version One of the CM/ECF application for the bankruptcy courts has been developed and in use; therefore, all bankruptcy courts must charge the required 7 cents per page fee effective July 1, 2001.

The Conference approved two recommendations regarding EPA fees as applied to litigants and infrequent users. As to litigants, the new provision stated: "Attorneys of record and parties in a case (including pro-se litigants) receive one (1) free electronic copy of all filed documents, if receipt is required by law or directed by the filer." This provision will allow anyone legally entitled to a document, or anyone to whom service is directed by the filer, one electronic copy of the document free of charge, which can be printed or saved to the recipient's own computer or network to avoid future access or copying costs.

The Conference also approved a policy that no fee for accessing information from a judiciary Internet site is owed until an individual account holder accrues charges of more than \$10 in a calendar year. This policy will assist those infrequent users of the CM/ECF system.

In addition to the 7 cents per page access fee, the Judicial Conference also approved a 10 cents per page fee for printing copies from a public access terminal in the courthouse. Currently, the fee is 50 cents per page when copies are printed from the public access terminals, the same as the fee for a paper copy requested at the clerk's office counter. In the Atlanta Division, copies may be requested from the court's copy vendor, resulting in no change in the procedure. In the Rome, Newnan, and Gainesville Divisions, printed copies must be retrieved from the clerk's office intake counter.

Gary Drake, Chief Deputy - Operations, is prepared to provide information and training regarding these Electronic Public Access Fees. In the near future, Gary will forward to you, via e-Mail, additional information and instructions regarding your one free look and how to take advantage of this opportunity to control your costs. Once prepared, CM/ECF participants should not experience additional fees as a result of the approved EPA fees.

The Court is encouraging attorneys to become CM/ECF participants. As in the past, we rely on each of you to assist with this important effort.

If you have questions, or comments, please contact either Gary Drake, or me, at your convenience.

Attachment